## **ENTERED**

October 17, 2018

David J. Bradley, Clerk

## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

THOMAS BALKE, TEBJES INC. d/b/a BASIC EQUIPMENT and ULTRAWAVE TECHNOLOGY FOR EMULSION CONTROL, LLC	\$ \$ \$	
d/b/a ULTRATEC, LLC,	§	
	§	
Appellants,	§	
	§	
V.	§	CIVIL ACTION NO. H-18-937
	§	
DON B. CARMICHAEL, KK & PK	§	
FAMILY, L.P., BARRY D. WINSTON,	§	
and GARY EMMOTT,	§	
	§	
Appellees.	§	

## **ORDER**

Thomas E. Balke, TEBJES Inc. d/b/a Basic Equipment, and Ultrawave Technology for Emulsion Control LLC d/b/a Ultratec LLC appeal from the bankruptcy court's written order vacating its February 2018 dismissal and assessing sanctions against them. (Adversary No. 14-03375, Docket Entry Nos. 310, 321). The court ordered the parties to advise the court about the relationship between this appeal and the related case involving the same debtor and same appellant. (Docket Entry No. 2). The parties' joint notice of the related case and response to the court's order explained that original bankruptcy proceedings are shared between the cases and indicated that the "same rationale for abatement exists in this case." (Docket Entry No. 3). Based on the parties' filings, the record, and the applicable law, the court adopts the reasoning of its order to abate in the related action. The deadlines in this case are abated pending the bankruptcy court's ruling on the appellees' motion to strike, (Adversary No. 14-03375, Docket Entry No. 358), or further order of

this court.

SIGNED on October 17, 2018, at Houston, Texas.

Lee H. Rosenthal

Chief United States District Judge